

May 12, 2006

John S. Decker
The Willard Office Building
Vinson & Elkins, LLP
1455 Pennsylvania Avenue, N.W.
Suite 600
Washington, D.C. 20004

Re: Subpoena *Duces Tecum*

Dear Attorney Decker:

Enclosed you will find a subpoena *duces tecum* requiring your client, Donald W. Scholl, Principal of PurEnergy, L.L.C., to produce **original** documents related to PurEnergy, L.L.C. and its predecessors, successors, affiliates, subsidiaries, parent companies or receivers and his personal appearance on May 23, 2006, before the Massachusetts Department of Telecommunications and Energy along with the requested confidentiality agreement. I am sending this to you in accordance with our agreement that you would except service on behalf of your client. The required personal appearance is waived if all requested documents, and the enclosed affidavit, are delivered to the Office of The Attorney General, Utilities Division, 1 Ashburton Place, Boston, MA 02108, on or before Thursday, May 18, 2006 and an electronic version of all documents are delivered to the my email address, jamie.tosches@ago.state.ma.us, on or before Tuesday, May 16, 2006.

Please contact me with any questions regarding the orderly production of these documents at 617-727-2200, ext. 2413. Thank you for your prompt attention to this matter.

Sincerely yours,

Jamie M. Tosches
Assistant Attorney General

enclosure

cc: John J. Keene, Hearing Officer
Service List

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Berkshire Gas Company)))	D.T.E. 06-27
------------------------------	-------------	---------------------

AFFIDAVIT OF DONALD W. SCHOLL

Donald W. Scholl, being first duly sworn, hereby states that he is the Donald W. Scholl issuing the foregoing "Affidavit of Donald W. Scholl" and solemnly affirms that the statement set forth therein are true to the best of his knowledge, information and belief.

Donald W. Scholl

Notary:

I hereby certify that on this ____ day of May, 2006, before me, an officer duly authorized in the Commonwealth of Massachusetts to take acknowledgments, personally appeared Donald W. Scholl who is personally known to me and that he executed this affidavit of signature and his free act and deed.

IN WITNESS WHEREOF, I have here unto my set hand and seal this ____ day of May, 2006.

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Berkshire Gas Company

)
)
)

D.T.E. 06-27

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding, dated at Boston this 12th day of May, 2006.

Jamie M. Tosches
Assistant Attorney General
Office of the Attorney General
Utilities Division
One Ashburton Place
Boston, MA 02108
(617) 727-2200

DATED: May 12, 2006